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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,594	03/25/2004	Van Hoa Lcc	AUS920040058US1	7104
35525	7590	02/06/2007		
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			EXAMINER GU, SHAWN X	
			ART UNIT 2189	PAPER NUMBER
			MAIL DATE 02/06/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No.	Applicant(s)	
	10/809,594	LEE, VAN HOA	
	Examiner	Art Unit	
	Shawn Gu	2189	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 January 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☒ The Notice of Appeal was filed on 16 January 2007. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: 4, 13 and 22.
Claim(s) rejected: 1-3, 5-7, 9-12, 14-16, 18-21, 23-25 and 27-30.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


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Continuation of 11. does NOT place the application in condition for allowance because: The Applicant asserts: 1) "claim 1 requires initializing all entries in the translation control table ... Dawkins only teaches initializing all entries in a particular I/O adapter's associated section of the translation control entry table. Because these two features are clearly different, the anticipated rejection is clearly in error" (see page 4 of "Reasons in Support of Applicants' Pre-Appeal Brief Request for Review", third paragraph), and 2) "... Dawkins does not teach that all entries are initialized to be valid ... the description of this claimed feature is not at issue, only the plain meaning of the claimed term ... the examiner appears to assert that Dawkins inherently teaches initializing all entries in the TCE to be valid ... Dawkins teaches that errors caused by unauthorized access are prevented -- not that all errors are prevented and not that all entries are initialized to be valid ..." (see pages 4 and 5 of "Reasons in Support of Applicant's Pre-Appeal Brief Request for Review", beginning on fourth paragraph of page 4). The Examiner respectfully traverses these assertions.

For argument 1, it should be clear that each section of the TCE table for a particular I/O adapter can also be interpreted as a smaller TCE table for that particular I/O adapter only, since the Applicant admits that Dawkins can initialize all the entries in a section of the TCE table just for that particular I/O adapter. Since Dawkins' invention provides the means to distinguish the sections of the overall TCE table by the particular I/O adapters the sections belong to, it is clear that the sections can all be considered as TCE tables for their respective I/O adapters. Since the Applicant already admits that Dawkins initializes all entries of a section of the TCE table for a particular I/O adapter, it is therefore concluded that Applicant's first argument is moot. For argument 2, the Applicant is respectfully reminded that TCE entry data that points to a particular reserved page is valid data in view of the plain meaning of the term "valid". Assigning/initializing an entry to point to a particular reserved page is a valid assignment with valid data values. Therefore Dawkins does not inherently teach the above stated claim limitation as suggested by the Applicant, but does so explicitly by teaching that the entries are initialized to point to a particular reserved page. The issue of whether Dawkins teaches that all errors are prevented is not relevant to the claims under discussion.